



## **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

---

LOWER WEST COAST REGIONAL SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901  
(239) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (239) 338-2936 • [www.sfwmd.gov/lwc/](http://www.sfwmd.gov/lwc/)

June 21, 2007

JOSEPH A DELAPA, PRESIDENT  
JOSEPH CONSTRUCTION CO OF MARCO ISLAND  
280 SOUTH COLLIER BOULEVARD, UNIT 2203  
MARCO ISLAND, FL 34145-4839

Dear Mr. Delapa, President :

**Subject : Notice of Noncompliance  
Construction Completion Certification  
BONITA FARM LOT 6 PARADISE VILLAGE SUBDIVISION  
Permit No. 36-03644-P, Application No. 990216-12  
Lee County, S34/T47S/R25E**

District staff periodically reviews permits for compliance and it has been noted that the above referenced permit has not been converted from the construction phase to the operation phase.

Before the operation phase of a permit can become effective, rules 40E-4.351, 40E-4.361 and 40E-4.381, Florida Administrative Code, and Sections 373.117 and 373.419, Florida Statutes, require you, as permittee, to have a Florida licensed Professional Engineer submit a signed and sealed certification. This certification shall indicate that the system has been constructed substantially in accordance with the approved plans and specifications, and any deviations from the approved plans and specifications will not prevent the system from functioning in compliance with the plans and specifications approved by the District. This will satisfy your permit's conditions regarding submittal of an engineer's certification for construction completion of the permitted surface water management system.

Enclosed is a District approved construction completion certification Form #0881. This enclosure, or an equivalent, is to be completed, signed and sealed by a Florida licensed Professional Engineer and returned to this office. Reference benchmarks and their locations should be identified so District staff can make periodic inspections.

The second enclosure is a request for permit conversion from the construction phase to the operation phase and permit transfer from the developer to the operating entity.

The required procedure should be pursued via the enclosed permit conversion / transfer Form #0920. This form should be completed by an officer of the association (operating entity) and submitted, along with a copy of:

1. the ownership transfer or turnover document,
2. the recorded deed restrictions (including amendments, if any),
3. a copy of the filed articles of incorporation,
4. a copy of the certificate of incorporation for the property owners association, and
5. a copy of all recorded plats (if not previously furnished).

SCANNED


JOSEPH CONSTRUCTION CO OF MARCO ISLAND  
June 21, 2007  
Page 2

Also enclosed is an affidavit. This affidavit attests that the items required by the Basis of Review are contained in the documents. If you do not choose to execute the affidavit, you may enter the requisite information in the boxes and return to us in lieu of a checklist. Submitting this completed affidavit will expedite the legal / institutional review of your request for permit conversion / transfer to the operational phase. In addition, as required by Section 40E-4.361, F.A.C., the permit file must contain documentation that applicable conditions to the permit have been satisfied.

Please be aware that rules 40E-1.6107 and 40E-4.351, F.A.C., also specify "Until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for any corrective actions that are required as a result of any violations of the permit which occurred prior to the transfer of the permit."

Please submit the above or notify District staff of your intentions within thirty (30) days of the date of this letter. Should you have any questions, please contact the undersigned at the Lower West Coast Service Center at (239) 338-2929 ext. 7760.

Sincerely,



Beccagayle Reide, E.I., Staff Engineer  
Environmental Resource Compliance  
Lower West Coast Service Center  
South Florida Water Management District  
br

Enclosure(s)

Form 0881  
Form 0920  
Affidavit

CERTIFIED MAIL NO. 70051820000240312557

c: Source Inc Vice-President

SCANNED

JOSEPH CONSTRUCTION CO OF MARCO ISLAND  
June 21, 2007  
Page 3

bc: Vault File – Permit No. 36-03644-P / App. No. 990216-12 file  
ERC File  
PPC File  
J. Dandenault

**IANNED**